

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

BLANCA SANCHEZ,

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Plaintiff

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vs. Civil Action No. _____

NEW BREED LOGISTICS,

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district and division. It may be served through its registered agent, Corporate Service Company, d/b/a CSC-Lawyers Incorporating Service Company, 211 E. 7th Street, Suite 620, Austin, Texas 78701-4234.

III.

FACTS

4. Sanchez was hired by New Breed in 2007 as a planner/scheduler. This position was classified as nonexempt for overtime purposes. Initially, Sanchez received an hourly rate and overtime for the hours she worked in excess of 40 hours during any one workweek. Beginning on February 9, 2008, New Breed reclassified Sanchez as exempt, and started paying Sanchez a straight salary, even though Sanchez's duties and responsibilities remained exactly the same as before. From February 9, 2008 until June or July 2012, Sanchez regularly worked in excess of 40 hours during each work week, but she was not paid overtime for the hours in excess of 40 hours. Then, in June 2012, New Breed reclassified Sanchez as nonexempt and began paying her overtime for all hours worked in excess of 40 during any one workweek.

5. Sanchez seeks to recover all unpaid overtime between the period beginning with the date she was reclassified as exempt by New Breed and the date that New Breed reclassified her back to nonexempt.

IV.

CLAIM FOR RELIEF

6. **FLSA – Unpaid Overtime.** Sanchez demands judgment against Defendant for unpaid overtime based on Defendant's failure to compensate her at a rate equal to one and one half times the regular rate for all hours worked in excess of 40 hours during any one workweek.

7. Defendant's violation of FLSA's overtime provisions was willful. Sanchez

demands judgment for liquidated damages.

8. Sanchez demands judgment against Defendant for attorney fees and all costs.
9. Sanchez demands judgment against Defendant for pre- and post-judgment interest.

V.

JURY DEMAND

10. Sanchez demands a jury.

WHEREFORE Plaintiff Blanca Sanchez demands judgment against Defendant for damages resulting from Defendant's violations of the Fair Labor Standards Act, judgment for liquidated damages, attorneys' fees, costs, pre- and post-judgment interest, and any other relief to which Sanchez may be entitled.

Dated: October 5, 2012

Respectfully submitted,

s/ Brett L. Myers

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